



# Maryland Association for Justice, Inc.

## 2020 Position Paper

### HB 206

## Unaccompanied Minors in Need of Shelter and Supportive Services

### *Favorable with Amendment*

The Maryland Association for Justice (MAJ) respectfully requests the following amendment to HB 206. For the purpose of clarifying the immunity language under **4-2705**, beginning on **PAGE 4, LINE 30** and ending on **PAGE 5, LINE 12**. MAJ believes the following amendment clarifies the language only extends immunity to those who act in accordance with the provisions of the subtitle.

30 4-2705.

31 (A) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A

1 SERVICE PROVIDER THAT PROVIDES SHELTER AND SUPPORTIVE SERVICES TO AN

2 UNACCOMPANIED MINOR IN NEED OF SHELTER IN ACCORDANCE WITH THE  
3 PROVISIONS OF ~~UNDER~~ THIS SUBTITLE IS NOT

3 CIVILLY OR CRIMINALLY LIABLE OR SUBJECT TO A DISCIPLINARY PENALTY BASED  
4 SOLELY

4 ON THE PROVIDER'S REASONABLE DETERMINATION TO PROVIDE THE SHELTER AND  
5 SUPPORTIVE

5 SERVICES AUTHORIZED BY THIS SUBTITLE.

6 ~~— (B) A SERVICE PROVIDER IS CIVILLY OR CRIMINALLY LIABLE OR SUBJECT~~

7 ~~TO A DISCIPLINARY PENALTY IF THE SERVICE PROVIDER'S DETERMINATION TO~~

8 ~~PROVIDE SHELTER AND SUPPORTIVE SERVICES OR THE SERVICE PROVIDER'S~~

9 ~~CONDUCT IN PROVIDING SHELTER AND SUPPORTIVE SERVICES IS THE RESULT OF~~

10 ~~THE SERVICE PROVIDER'S:~~

11 ~~— (1) GROSS NEGLIGENCE; OR~~

12 ~~— (2) WILLFUL OR WANTON ACTS OR OMISSIONS.~~